

Application No.: 09/940,706  
Filing Date: 08/28/2001

Docket No.: JP920010196US1

### REMARKS

This is a reply to a first Office action, dated November 3, 2004, in which claims 1-15 were rejected under 35 U.S.C. 103(e) as being anticipated by Datar (6,351,812).

#### Claims 1, 6 and 11

Applicant herein amends claims 1, 6 and 11, as set out above, to clearly distinguish the present invention over Datar. Applicant also amends claims 2, 4, 7, 9, 12 and 14 to set out further details regarding types of access permitted responsive to additional individual authentication data units.

Specifically, claim 1, for example, is amended to state that a secure transaction between first and second computers is during a certain communication session between the first and second computer, and that basic authentication data is received for the transaction from the first computer by the second computer. Also, claim 1 is herein amended to state that the basic authentication data, which has been certified by an accepted certifying authority, includes a public key of the first computer for permitting a first type of access by the first computer to an application provided by the second computer, and that a copy of the first computer's public key is stored by the second computer during the certain communication session. (Claims 6 and 11 are similarly amended, according to the respective forms of the invention they set out.) For example, the present application describes a type of access for an application in which merely web surfing is secured. Present application, page 8, lines 15-19; see also page 1, lines 20-21, page 5, lines 32-33, and page 8, lines 21-23.

Also, claim 1 is herein amended to state that during the communication session the second computer requests an additional individual authentication data unit from the first computer, and that the additional individual authentication data unit is for permitting a second type of access by the first computer to an application provided by the second computer. (Claims 6 and 11 are similarly amended, according to the respective forms of the invention they set out.) For example, the present application describes another type of access, a secure electronic

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transaction (SET), for an application in which a digital credit card is used for a purchase, and another type of access for an application in which an email message is securely transmitted. Present application, page 8, lines 25-28 and line 32; see also page 1, line 28 - page 2, line 5, and page 2, lines 7-15.

Also, claim 1 is herein amended to state that, having received the additional individual authentication data unit by the second computer from the first computer, the second computer uses the second computer's stored copy of first computer's public key to verify the additional individual authentication data unit during the certain communication session and without the second computer obtaining another copy of the public key. (Claims 6 and 11 are similarly amended, according to the respective forms of the invention they set out.)

Applicant contends that the cited art does not teach or suggest these nonobvious features of amended claims 1, 6 and 11, and the claims are allowable for this reason.

No new matter is added in the amendments to claims 1, 6 and 11, since the specification as originally submitted provides support. Present application, page 7, lines 14-16 (regarding basic authentication data being received from a first computer by a second computer for a secure transaction between the computers); page 5, line 33 and page 7, line 6 (regarding the secure transaction being *during a certain communication session* between the first and second computer), see also FIG's 1 and 2 (showing "start secure session" and "continue secure session"); claim 2 (now canceled) and page 6, line 1 (stating that the basic authentication data includes a public key of the first computer); page 5, lines 32-33 and page 8, lines 15-19 (regarding the public key of the first computer permitting a *first type of access* by the first computer to an application provided by the second computer), see also page 1, lines 20-21; page 8, lines 21-23 (regarding *storing* the first computer's public key by the second computer *during the certain communication session*), see also page 3, line 30, page 1, lines 23-26, page 2, lines 23-24 and page 10, lines 1-3; page 9, lines 22-23 (regarding the second computer requesting 2.3 an additional individual authentication data unit from the first computer *during the communication session*), see also FIG. 2 (showing that the request 2.3 occurs during the communication session, i.e., within the time after "secure session" has started and before the session is continued); page 8, lines 25-28 and line 32 (regarding the additional individual authentication data unit permitting a *second type of access* by the first computer to an application provided by the second computer),

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a *second type of access* by the first computer to an application provided by the second computer), see also page 1, line 28 - page 2, line 5 and page 2, lines 7-15; claim 2 (now canceled) and page 8, lines 21-30 (explaining that, having received the additional individual authentication data unit by the second computer from the first computer, the second computer verifies authenticity of the additional individual authentication data unit by *using the second computer's stored copy of first computer's public key*); claim 4 (now canceled) and page 8, lines 21-30 (regarding the verifying of the additional authentication data unit occurring *during the certain communication session*); and page 8, lines 28-31 (regarding the verifying of the additional authentication data unit occurring *without the second computer obtaining another copy of the public key*).

Claims 2, 4, 7, 9, 12 and 14

Claims 2 and 4, for example, are also herein amended to state specific types of access permitted responsive to additional individual authentication data units. Claims 7, 9, 12 and 14 are similarly amended. No new matter is added in the amendments to claims 2, 4, 7, 9, 12 and 14, since the specification as originally submitted provides support. Present application, page 8, lines 25- 28 and line 32 (regarding types of access), see also page 1, line 28 - page 2, line 5 and page 2, lines 7-15.

Applicant contends that claims 2, 4, 7, 9, 12 and 14 are patentably distinct because the cited art does not teach or suggest these types of access are permitted responsive to additional authentication data units received individually, i.e., separately from basic authentication data received for a first type of access during the same session, as claimed.

Further, Applicant contends that claims 2, 4, 7, 9, 12 and 14 are patentably distinct because they respectively depend upon allowable claims. MPEP 2143.03 ("If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious," citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)).

Claims 3, 5, 8, 10, 13 and 15

Claim 5, for example, is also herein amended to state that the second computer receives a command from the first computer "to invalidate a previously presented identity certificate," and to state that the second computer receives "a new identity certificate from the first computer to

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replace the invalidated identity certificate," and to state that "the command to invalidate and the new identity certificate are both received by the second computer during the certain communication session." (Claims 10 and 15 are similarly amended, according to the respective forms of the invention they set out.) Applicant contends that the cited art does not teach or suggest these nonobvious features of amended claims 5, 10 and 15, and the claims are allowable for this reason.

No new matter is added in the amendments to claims 5, 10 and 15, since the specification as originally submitted provides support. Present application, page 9, lines 7-14.

Further, Applicant contends that claims 3, 5, 8, 10, 13 and 15 are patentably distinct because they respectively depend upon allowable claims. MPEP 2143.03 ("If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious," citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)).

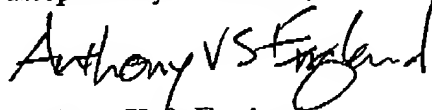
#### **PRIOR ART OF RECORD**

Applicant has reviewed the prior art of record cited by but not relied upon by Examiner, and asserts that the invention is patentably distinct.

#### **REQUESTED ACTION**

Applicant contends that the invention as claimed in accordance with amendments submitted herein is patentably distinct, and hereby requests that Examiner grant allowance and prompt passage of the application to issuance.

Respectfully submitted,



Anthony V. England  
Attorney for Applicants  
Registration No. 35,129  
512-477-7165  
a@aengland.com